

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q91724

Hisashi MIKOSHIBA, et al.

Appln. No.: 10/559,392

Group Art Unit: 1625

Confirmation No.: 9068

Examiner: Unknown

Filed: December 6, 2005

For: NOVEL OXONOL COMPOUND AND PROCESS FOR PRODUCING THE  
COMPOUND

**REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT**

**ATTN:** Office of Initial Patent Examination

Filing Receipt Correction

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

We enclose a copy of the Official Filing Receipt for the above-identified application and  
request the following correction:

**Title**

[[Nove]] Novel oxonol compound and process for producing the compound

Verification for the requested correction is indicated on the executed Declaration and  
Power of Attorney and Assignment filed December 6, 2005.

REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT  
U.S. Application No.: 10/559,392

Q91724

Respectfully submitted,

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

/L. Raul Tamayo/  
L. Raul Tamayo  
Registration No. 47,125

Date: November 6, 2006



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/559,392	12/06/2005 ✓	1625	900	Q91724		11	1

CONFIRMATION NO. 9068

## CORRECTED FILING RECEIPT



\*OC000000020550754\*

23373  
 SUGHRUE MION, PLLC  
 2100 PENNSYLVANIA AVENUE, N.W.  
 SUITE 800  
 WASHINGTON, DC 20037

Date Mailed: 09/22/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

## Applicant(s)

Hisashi Mikoshiba, Kanagawa, JAPAN; ✓  
 Masaharu Akiba, Kanagawa, JAPAN; ✓

## Assignment For Published Patent Application

Fuji Photo Film Co Ltd ✓

Power of Attorney: The patent practitioners associated with Customer Number **23373**. ✓

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/JP05/10097 05/26/2005 ✓

## Foreign Applications

JAPAN 2004-158997 05/28/2004 ✓

If Required, Foreign Filing License Granted: 03/17/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/559,392**

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

Title

[Novel] oxonol compound and process for producing the compound

Preliminary Class

Novel

549

## PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

---

### LICENSE FOR FOREIGN FILING UNDER Title 35, United States Code, Section 184 Title 37, Code of Federal Regulations, 5.11 & 5.15

#### **GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

# Declaration and Power of Attorney for Patent Application

## 特許出願宣言書および委任状

### Japanese Language Declaration

#### 日本語宣言書

私は下記発明者として以下の通り宣言します：

As a below named inventor, I hereby declare that:

私の住所、郵送先、および国籍は私の氏名の後に記載された通りです。

My residence, mailing address and citizenship are as stated next to my name.

下記名称の発明に関し請求範囲に記載され特許出願がされている発明内容につき、私が最初、最先かつ唯一の発明者（下記氏名が一つの場合）であるか、あるいは最初、最先かつ共同発明者（下記氏名が複数の場合）であると信じます。

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

NOVEL OXONOL COMPOUND AND PROCESS

FOR PRODUCING THE COMPOUND

下記項目にx印が付いている場合を除き、上記発明の明細書は本書に添付されます。

the specification of which is attached hereto unless the following box is checked:

☐ 上記発明は米国出願番号あるいはPCT国際出願番号（確認番号\_\_\_\_\_）として\_\_\_\_年\_\_月\_\_日に出願され、\_\_\_\_年\_\_月\_\_日に補正されました（該当する場合）。

☒ was filed on May 26, 2005  
as United States Application Number or  
PCT International Application Number  
PCT/JP2005/010097 (Conf. No. \_\_\_\_\_)  
and was amended on \_\_\_\_\_  
(if applicable).

私は特許請求範囲を含み上述の補正で補正された前記明細書の内容を検討し、理解していることをここに表明します。

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

私は連邦規則法典第 37 編 1 条 56 項に定義される特許性に肝要な情報について開示義務があることを認めます。

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

# Japanese Language Declaration

## 日本語宣言書

私は米国法典第 35 編 119 条(a)-(d)あるいは 365 条(b)に基づき特許あるいは発明者証書の下記外国出願、または 365 条(a)に基づき米国以外の少なくとも 1 ヶ国を指定した下記 PCT 外国出願についての外国優先権をここに主張するとともに、下記項目にx印を付けることにより優先権を主張する出願以前の出願日を有する特許あるいは発明者証書の外国出願あるいは PCT 外国出願を示します。

I hereby claim foreign priority under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below, and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Prior foreign application(s)  
外国での先行出願

Priority Claimed  
優先権の主張

P. 2004-158997

Japan

28/May/2004

(Number)  
(番号)

(Country)  
(国名)

(Day/Month/Year Filed)  
(出願年月日)

Yes No  
有り無し  
☒ ☐

(Number)  
(番号)

(Country)  
(国名)

(Day/Month/Year Filed)  
(出願年月日)

☐ ☐

私は米国法典第 35 編 119 条(e)に基づき下記の米国仮特許の利益をここに主張します。

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

(Application No.)  
(出願番号)

(Filing Date)  
(出願日)

(Application No.)  
(出願番号)

(Filing Date)  
(出願日)

私は米国法典第 35 編 120 条に基づき下記米国特許出願、あるいは 365 条(c)に基づき米国を指定する下記 PCT 国際特許出願の利益をここに主張し、本特許出願内特許請求範囲の各項目の内容が米国法典第 35 編 112 条の最初の項に規定される方法により先行米国あるいは PCT 国際特許出願で開示されていない限りにおいて連邦規則法典第 37 編 1 条 56 項に定義される特許性に肝要で、先行特許出願の出願日から本特許出願の国内あるいは PCT の出願日までの間に入手された情報について開示義務があることを認めます。

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

(Application No.)  
(出願番号)

(Filing Date)  
(出願日)

(Status: patented, pending, abandoned)  
(状態: 特許成立済、係属中、放棄済)

(Application No.)  
(出願番号)

(Filing Date)  
(出願日)

(Status: patented, pending, abandoned)  
(状態: 特許成立済、係属中、放棄済)

私は本宣言書内で私自身の知識に基づいてなされたすべての陳述が真実であり、情報および信ずるところに基づいてなされたすべての陳述が真実であると信じられていることをここに宣言し、さらに故意になされた虚偽の陳述等々は米国法典第 18 編 1001 条に基づき罰金あるいは拘禁または両方による処罰にあたり、またかような故意による虚偽の陳述はそれに基づく特許出願あるいは成立特許の有効性を危うくする可能性があることを認識した上でこれらの陳述をなしたことを宣言します。

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

# Japanese Language Declaration

## 日本語宣言書

委任状：私は下記の米国特許商標局（USPTO）顧客番号のもとに記載される SUGHRUE MION 法律事務所のすべての弁護士を、同顧客番号のもとに記載される個々の弁護士は SUGHRUE MION 法律事務所のみ自由裁量に基づき変更され得ることを認識した上で、本特許出願の手續きおよびそれに関わる特許商標局との業務を遂行する弁護士として指名し、本特許出願に関するすべての通信が同 USPTO 顧客番号のもとに提出された住所宛に送付されることを要請します。

POWER OF ATTORNEY: I hereby appoint all attorneys of SUGHRUE MION, PLLC who are listed under the USPTO Customer Number shown below as my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, recognizing that the specific attorneys listed under that Customer Number may be changed from time to time at the sole discretion of SUGHRUE MION, PLLC, and request that all correspondence about the application be addressed to the address filed under the same USPTO Customer Number.



23373

PATENT TRADEMARK OFFICE

電話連絡は下記へ：（名前および電話番号）

Direct Telephone Calls to: (name and telephone number)

SUGHRUE MION, PLLC  
(202) 293-7060

SUGHRUE MION, PLLC  
(202) 293-7060

Full name of sole or first inventor 唯一あるいは第一の発明者名		Hisashi MIKOSHIBA	
Inventor's signature 発明者の署名	<i>Hisashi Mikoshiba</i>		Date 日付 November 9, 2005
Residence 住所 Kanagawa, Japan			
Citizenship 国籍 Japan			
Mailing Address 郵送先 c/o Fuji Photo Film Co., Ltd., 210, Nakanuma, Minami-Ashigara-shi, Kanagawa 250-0193 Japan			
Full name of second joint inventor, if any 第二の共同発明者名（該当する場合）		Masaharu AKIBA	
Second inventor's signature 第二発明者の署名	<i>Masaharu Akiba</i>		Date 日付 November 16, 2005
Residence 住所 California, U.S.A.			
Citizenship 国籍 Japan			
Mailing Address 郵送先 c/o Fuji Photo Film Co., Ltd., 210, Nakanuma, Minami-Ashigara-shi, Kanagawa 250-0193 Japan			

# ASSIGNMENT

Whereas, I/we Hisashi MIKOSHIBA of Kanagawa, Japan  
Masaharu AKIBA of California, U.S.A.

hereinafter called assignor(s), have invented certain improvements in  
NOVEL OXONOL COMPOUND AND PROCESS FOR PRODUCING THE COMPOUND

and executed an application for Letters Patent of the United States of America therefor on  
November 9, 2005 and November 16, 2005 ; and

Whereas, FUJI PHOTO FILM CO., LTD.

210, Nakanuma, Minami-Ashigara-shi, Kanagawa 250-0193 Japan

(assignee), desires to acquire the entire right, title and interest in the application and invention, and to  
any United States patents to be obtained therefor;

Now therefore, for valuable consideration, receipt whereof is hereby acknowledged,

I/We, the above named assignor(s), hereby sell, assign and transfer to the above named  
assignee, its successors and assigns, the entire right, title and interest in the application and the  
invention disclosed therein for the United States of America, including the right to claim priority under  
35 U.S.C. § 119, and I/we request the Director - U.S. Patent and Trademark Office to issue any  
Letters Patent granted upon the invention set forth in the application to the assignee, its successors  
and assigns; and I/we will execute without further consideration all papers deemed necessary by the  
assignee in connection with the United States application when called upon to do so by the assignee.

I/We hereby authorize and request my/our attorneys SUGHRUE MION, PLLC of 2100  
Pennsylvania Avenue, N.W., Washington, D.C. 20037-3213 to insert here in parentheses  
(Application number \_\_\_\_\_, filed \_\_\_\_\_) the filing date and  
application number of said application when known.

Date: November 9, 2005

s/

Hisashi Mikoshiba

Date: November 16, 2005

s/

Masaharu Akiba

Date:

s/

Date:

s/

Date:

s/